AO 247 (Rev. 11/11) Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

UNITED STATES DISTRICT COURT
for the

District of Minnesota

United States of America v.	)))	
Taronn Lamar Roberson	))	Case No: 06-cr-441
	)	USM No: 08004-041
Date of Original Judgment: 08/23/2007	)	
Date of Previous Amended Judgment:	)	Pro se
(Use Date of Last Amended Judgment if Any)		*Defendant's Attorney*

ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment *(as reflected in the last judgment issued)* of _____ months **is reduced to** _____ .

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____	Amended Total Offense Level: _____
Criminal History Category: _____	Criminal History Category: _____
Previous Guideline Range: _____	Amended Guideline Range: _____

II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE

☐ The reduced sentenced is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ The reduced sentence is above the amended guideline range.

II. ADDITIONAL COMMENTS

Defendant is not entitled to relief under the Fair Sentencing Act because of the mandatory ten-year minimum sentence in this case. See United State v. Neadeau, 639 F.3d 453, 456 (8th Cir. 2011).

Except as otherwise provided, all provisions of the judgment dated _____08/23/2007_____ shall remain in effect.

IT IS SO ORDERED.
Order Date: 12-13-11

_____
Judge's signature

Effective Date: _____
(if different from order date)

Chief Judge Michael J. Davis, U.S. District Court
Printed name and title